



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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August 21, 1996

Neal J. Mortensen
Western Clay Company
508 East Center Street
Aurora, Utah 84620

Re: Mining Activity During Review of LMO, Western Clay Company, Hebe Gypsum, M/015/072,
Emery County, Utah

Dear Mr. Mortensen:

This letter is in response to your recent telephone conversations with Tony Gallegos regarding your proposed mining activities during the time your Large Mining Operations Notice of Intention (LMO-NOI) is under Division Review. Specifically, you asked if you could undertake the following three tasks: (1) conduct additional mining within the existing disturbance created under a small mine operation notice of intent; (2) widen and improve the mine access road as described under a BLM right-of-way (ROW) agreement; (3) strip shale overburden off a 2 acre area included in the LMO-NOI to use this shale in road building and then mine the gypsum beneath the area.

The Division is aware of a surety bond posted with the BLM San Rafael Resource Area in the sum of \$5,000 for reclamation of the 30 foot wide, 8,200 foot long road described in the ROW. As of this date, we have not received confirmation of the BLM's acceptance of the surety bond or final approval of the ROW. The Division will allow Western Clay to perform tasks 1 and 2 as described above, provided BLM approval is also granted for these tasks.. Under no condition should Western Clay expand the disturbed area at the mine site until the Division approves the LMO-NOI and the Board of Oil, Gas and Mining accepts a reclamation surety.

Please be advised that the Division has several other permitting applications under review at the present time. We will attempt to complete our initial review of your submission within 30 days; however, we have been working with a permit backlog due to the number of applications received and this being our field season. Please contact me or Tony Gallegos if you have any questions regarding this letter or the permit review process.

Sincerely,

D. Wayne Hedberg
Permit Supervisor, Minerals Program

jb
cc:

Neil Simmons, BLM San Rafael RA
Mary Ann Wright, DOGM

